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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/877,240 | 06/11/2001 | Frederick J. Murphy | 001223.00014 | 8631 |
| 7590 06/15/2006 | | | | |
| FREDERICK J. MURPHY 126 AMBLESIDE DRIVE FALMOUTH, MA 02540 | | | EXAMINER ROGERS, SCOTT A | |
| | | | ART UNIT 2625 | PAPER NUMBER |

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,240

Applicant(s)

MURPHY, FREDERICK J.

Examiner

Scott A. Rogers

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 22 is/are rejected.
- 7) ☒ Claim(s) 21 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action (P. 2-5).

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Matsui (US 6441924).

Referring to claim 1:

Matsui discloses an apparatus for sending and receiving digital image data from a computer network, wherein said digital image data carries an electronic destination address and is transported over said computer network in accordance with standard network transmission protocols, said apparatus comprising:

network interface means 24 for coupling said apparatus to said computer network;

apparatus address means C24 for storing a unique electronic apparatus address for said apparatus;

signal recognition means 6 (col. 3, lines 21-24) for determining receive status information;

address receiver means 6 (col. 3, lines 24-26) coupled to said network interface means for receiving said electronic destination address;

address comparison means 8 (col. 3, lines 29-36) coupled to said apparatus address means and to said address receiver means for comparing said electronic destination address to said unique apparatus address and providing a match signal when said two addresses are the same;

digital image data receiver means 33 coupled to said network interface means, said address comparison means and to said signal recognition means for receiving said digital image data when said match signal is provided.

In Matsui, note also discussion of Fig. 9 starting at col. 9, line 38.

Claim Rejections - 35 USC § 103

Claims 2-7, 20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui as applied to claim 1 above, and further in view of well known prior art .

Referring to claims 2-7, the various recited encryption means are well known in the prior art and it would have been obvious to one of ordinary skill in the art to have included in Matsui such encryption means in order to provide security over the computer network.

Referring to claims 20 and 22, unique address or identification information embedded in the hardware of an apparatus or obtained from biometric input connected to the hardware of the apparatus is well known in the prior art and would have been

obvious to one of ordinary skill in the art to have used Matsui in order to identify specific apparatus or persons associated with the apparatus and thereby increase communication security.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 2-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claims 2-7, there is not antecedent basis for "said conversion means" or "said electronic mail agent".

Referring to claims 8-9, there is not antecedent basis for "said electronic mail agent" or "said mail server".

Referring to claim 10, there is not antecedent basis for "said output means" or "said mail server".

Referring to claims 11-14, there is not antecedent basis for "said electronic management means".

Referring to claims 15-19, there is not antecedent basis for "said conversion means".

Allowable Subject Matter

Claims 21 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Cited Art

The art made of record and not relied upon is considered pertinent to applicant's disclosure. Hasegawa discloses a facsimile device managing messages including an identifier matched to a pre-stored identifier (note for example col. 2, lines 14-36).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A Rogers whose telephone number is 571-272-7467. The examiner can normally be reached Monday through Friday 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Moore can be reached at 571-272-7437.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 Customer Service at 571-272-2600. Official correspondence by facsimile should be sent to 571-273-8300. The USPTO contact Center phone numbers are 800-PTO-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11 June 2006



SCOTT ROGERS
PRIMARY EXAMINER